

Changing the Policy Toward Homosexuals in the U.S. Military

In January 1993, President Clinton signed a memorandum directing the Secretary of Defense to end discrimination on the basis of sexual orientation in the U.S. Armed Forces. The secretary was directed to recommend a policy that could be carried out "in a manner that is practical and realistic, and consistent with the high standards of combat effectiveness and unit cohesion our Armed Forces must maintain." Les Aspin, Secretary of Defense at the time, asked RAND's National Defense Research Institute to help carry out his mandate by providing a comprehensive analysis of the issues involved in the debate and evaluating different courses of action that could be taken to implement the president's objectives.

The resulting RAND study, *Sexual Orientation and U.S. Military Personnel Policy: Options and Assessment*, took a broad perspective on the subject. It analyzed the policies of other countries' military forces and the police and fire departments in six American cities; it considered the historical record, focusing on the integration of blacks into the military; it reviewed public opinion, including the views of active-duty military personnel, and explored their concerns about health risks and unit disruption; it reviewed the scientific literature on group cohesion, sexuality, and related health issues; and it investigated legal and implementation issues. Based on this research, the study team concluded that only one of the policies examined satisfied the President's directive and was internally consistent. This policy would

- consider sexual orientation as "not germane" to determining who may serve in the military,
- establish a standard of professional conduct that requires all personnel to conduct themselves in ways that enhance good order and discipline, and
- enforce this standard by leaders at every level of the chain of command in a way that ensures that unit performance is maintained.

EXPERIENCE OF ANALOGOUS INSTITUTIONS

Researchers visited Canada, France, Germany, Israel, the Netherlands, Norway, and the United Kingdom—countries with a range of policies toward homosexuals in the military. At the time of the study, the United Kingdom was the only one of these countries that maintained an absolute ban on homosexuals in the military.¹ Germany excluded known homosexuals from service, but allowed homosexuals to serve if they did not make their homosexuality public. The French policy was not to have an official policy: Their view is that private sexual conduct is not relevant to the performance of military duties. Unofficially, the issue is dealt with as a medical/psychological issue. Homosexual status does not disqualify anyone from conscription, but in practice homosexuals are excused from service if they want to be. Canada, Israel, Norway, and the Netherlands followed a nondiscrimination policy. Of these, only the Dutch had an active program to avoid discrimination and encourage openness.

Several observations emerged from these visits. In countries that allow homosexuals to serve, the number of openly homosexual service members is small and is believed to represent a minority of homosexuals actually serving. Open homosexuals were appropriately circumspect in military situations: They did not call attention to themselves in ways that could make their service less pleasant or impede their careers. When problems were reported, they were usually resolved satisfactorily on a case-by-case basis. None of these countries reported any impairment in military performance resulting from the presence of homosexuals.

Domestic police and fire departments are perhaps the closest analog to the U.S. military: They are organized with a hierarchical chain of command and they function

¹ In November 1999, the European Court ruled that the British policy was illegal under European Union rules and must change.

as teams that train for short, intense periods of hazardous activity. They are different, of course, in that only the military deploys its members on ships or routinely engages in extended field exercises. Researchers visited six cities that have nondiscrimination policies in place: Chicago, Houston, Los Angeles, New York, San Diego, and Seattle.

The study team focused on two main issues: How did heterosexuals and homosexuals behave in response to the presence of homosexuals on the force? And what were the organizational strategies used to implement the nondiscrimination policies? They found that

- Very few homosexuals acknowledge their sexual orientation (see table).
- Acknowledged homosexuals very seldom challenge the norms and customs of their organizations.
- Anti-homosexual sentiment does not disappear, but heterosexuals' behavior toward homosexuals is more moderate than might be expected from their stated attitudes toward homosexuals.
- Effectiveness of the organization had not been diminished by the presence of homosexuals on the force.
- Recruitment and retention of personnel has not been affected by a policy of nondiscrimination.
- Implementation is most successful where the message is unambiguous, consistently delivered, and uniformly enforced. Leadership is critical in this regard.
- Training efforts that provide leaders with the information and skills needed to implement the policy were essential. Sensitivity training for the rank and file, however, tended to breed additional resentment. Concerns about AIDS were not quickly alleviated by training.

Number of Open Homosexuals in Selected Police and Fire Departments (1993)

City	Total Force Size	Number of Open Homosexuals
<i>Police Departments</i>		
Chicago	12,209	7
Houston	4,100	0
Los Angeles	7,700	7
New York	28,000	~100
San Diego	1,300	4-5
Seattle	1,300	2
<i>Fire Departments</i>		
Chicago	4,700	0
Houston	2,900	0
Los Angeles	3,200	0
New York	11,300	0
San Diego	845	1
Seattle	975	5

LESSONS FROM RACIAL INTEGRATION OF THE MILITARY

While a decision to integrate homosexuals into the force is not directly comparable to the integration of blacks into the military, the experience of racial integration provides insights into the military's ability to adapt to change. That experience shows that it is possible to change how troops behave toward previously excluded (and despised) minority groups, even if underlying attitudes toward those groups change very little.

When integration was mandated in the late 1940s, it was said to be inconsistent with prevailing societal norms and likely to create tensions and disruptions in military units and to impair combat effectiveness. However, in the final years of World War II and especially during the Korean War, integrated Army units were able to function effectively even in the most demanding battlefield situations. Today's integrated force is the product of many years of effort, constant monitoring, and the sustained commitment of both civilian and military leaders.

PUBLIC AND MILITARY OPINION

How well a policy change toward homosexuals in the military will fare depends partly on the acceptance of the change by the public and by the people serving in the U.S. military. A review of various polls at the time of the study revealed a public that was divided on this issue. The percentage that favored lifting the ban on service varied from slightly more than 40 percent to about 50 percent. A *Wall Street Journal*/NBC News poll in June 1993 found that only 21 percent of registered voters opposed allowing homosexuals to serve under any circumstances. Thirty-eight percent favored service as long as sexual orientation was kept private, and 40 percent were in favor of homosexuals serving openly (but following the same rules of conduct as all military personnel).

Military personnel, on the other hand, were overwhelmingly opposed to removing restrictions on homosexuals in the military. Surveys and focus group interviews, while not statistically representative, provided the study team with a reasonably comprehensive picture of military opinion. Surveys conducted by the military showed that about three-fourths of males and half of females in the military were opposed to the presence of known homosexuals in the force. Reasons they gave for their opposition were their fear of sharing quarters with homosexuals, their conviction that homosexuality was immoral and contrary to their religious beliefs, and their concern that homosexuals could contribute to the spread of AIDS. A vast majority expressed the view that homosexuals would be subject to violence if allowed into the military.

Although most military personnel had incorporated the presence of minorities and women into their image of the military, they had much more difficulty seeing how homosexuals could fit into the force without changing it beyond recognition and compromising the military's ability to carry out an effective national defense.

Among the most expressed concerns was a fear of the increase of AIDS in the military. The Department of Defense's (DoD's) testing program for HIV, however, almost entirely prevents the entry of HIV-infected individuals into the military. The only way a nondiscrimination policy could significantly affect HIV infection rates is by increasing the number of service members who are infected while serving. All military personnel must be further subjected to accurate tests before deployment, and those who test positive cannot be deployed. Therefore, there would be virtually no danger from contact with blood on the battlefield.

UNIT COHESION AND MILITARY PERFORMANCE

The main argument that military leaders use against lifting the ban on homosexuals is that the presence of homosexuals in the force would significantly disrupt unit cohesion. The research team found no scientific evidence on the effects of open homosexuals on a unit's cohesion and combat effectiveness. Any attempt to predict such effects was acknowledged as necessarily speculative. However, there was a good deal of literature on unit cohesion. The RAND team conducted a critical review of this research and its implications for the policy debate on homosexuals in the military. Their principal conclusion was the commonsense observation that it is not necessary to like someone to work with him or her, *so long as members share a commitment to the group's objectives*. This conclusion was also borne out in the review of racial integration mentioned above.

"Cohesion" is a term that is generally used in the military to refer to the forces that bind individuals together as a group. It is helpful to think of it in two ways: (1) social cohesion, which refers to the nature and quality of the emotional bonds of friendship, caring, and closeness among group members; and (2) task cohesion, which refers to the shared commitment among members to achieve a goal that requires the collective efforts of the group.

Research reviewed by the study team showed that unit performance is clearly correlated with task cohesion. This finding is entirely consistent with the results of hundreds of studies in the industrial-organizational psychology literature on the crucial role of goal-setting for productivity. Social cohesion, on the other hand, bears little relationship to performance. Indeed, studies have

shown that high social cohesion sometimes interferes with unit performance.

The presence of a known homosexual in a unit could reduce social cohesion. In extreme cases, it could lead to ostracism or violence. However, both research and the experience of foreign militaries and domestic organizations suggest that a number of factors can minimize social disruption. First, leaders play a key role in promoting and maintaining unit cohesion. Second, military roles, regulations, and norms all enhance the likelihood that heterosexuals will work cooperatively with homosexuals. Third, external threats enhance cohesion, provided that the group members are mutually threatened and there is the possibility that cooperative group action can eliminate the danger.

The RAND study suggests that although the presence of a known homosexual may affect social cohesion, it is unlikely to undermine task cohesion, provided that the individual demonstrates competence and a commitment to the unit's mission. Therefore, researchers conclude that the presence of known homosexuals on the force is not likely to undermine military performance.

A POLICY FOR ENDING DISCRIMINATION

The research team examined a number of ways to respond to the president's directive and identified one policy to be most consistent with their research findings. That policy holds that sexual orientation, by itself, is not germane in determining who may serve in the U.S. military. It emphasizes actual conduct, not behavior presumed because of sexual orientation, and holds all service members to the same standard of professional behavior. It requires tolerance and restraint to foster the good of the group, but implies no endorsement of a "homosexual lifestyle."

An illustrative "Standard of Professional Conduct" was designed as part of the research project. Similar standards have been used effectively in other organizations and foreign militaries and are analogous to the "good order and discipline" and "conduct unbecoming" provisions in U.S. military law. Four features of this standard are central:

- A requirement that all members of the military services conduct themselves in ways that enhance good order and discipline. Such conduct includes showing respect and tolerance for others. While heterosexuals would be asked to tolerate the presence of known homosexuals, all personnel, including acknowledged homosexuals, must understand that the military environment is no place to advertise one's sexual orientation.
- A clear statement that inappropriate conduct could destroy order and discipline, and that individuals should not engage in such conduct.

- A list of categories of inappropriate conduct, including personal harassment (physical or verbal conduct toward others, based on race, gender, sexual orientation, or physical features), abuse of authority, displays of affection, and explicit discussions of sexual practices, experience, or desires.
- Application of these standards by leaders at every level of the chain of command, in a way that ensures that unit performance is maintained.

If discrimination against homosexuals were banned in the U.S. military, then enclosure 3H of the DoD regulations concerning administrative separations (Directive 1332.14) should be rescinded and Article 125 of the Uniformed Code of Military Justice should be rescinded or modified. Otherwise, the new policy would not require extensive revisions to existing military rules and regulations or to personnel policy. If sexual orientation were regarded as not germane in determining who may serve, it would be equally not germane to decisions on assignment, pay, military specialty, or benefits. On issues such as recognizing homosexual marriages or conferring benefits on homosexual partners, the DoD need not change current policy or become the "lead" federal agency in these areas.

IMPLEMENTING POLICY CHANGE IN THE MILITARY

The manner in which policy change is implemented is likely to determine whether it is accepted with minimal disruptions. Based on a review of organization theory, implementation research, and the military's own experience with racial integration, the study team identified several key elements of an implementation strategy:

- The policy change must be communicated clearly and consistently from the top. Because senior military

leaders are on record as opposing any change, it will be necessary, if a change in policy is selected, for these and other leaders to signal their acceptance of the change and their commitment to its successful implementation. It must be clear to the troops that behavioral dissent from the policy will not be tolerated.

- The policy selected should be implemented immediately. Any sense of experimentation or uncertainty invites those opposed to change to continue to resist it.
- Emphasis should be placed on conduct, not on teaching tolerance or sensitivity. For those who believe that homosexuality is primarily a moral issue, efforts to teach tolerance would simply breed more resentment. Attitudes may change over time, but behavior must be consistent with the new policy from the first day.
- Leadership must send messages of reassurance to the force. The military is undergoing a variety of other stressful experiences, and it is important to convey that this policy is not a challenge to traditional military values and will not create undue disruption.
- Leaders at all levels should be empowered to implement the policy, and some special training may be useful to ensure that the change is understood and occurs rapidly.
- A monitoring process should be established to identify any problems early in the implementation process and address them immediately.

This implementation strategy will increase the probability that a policy that ends discrimination based on sexual orientation can be implemented in a practical and realistic manner and that unit cohesion and performance can be preserved.

RAND research briefs summarize research that has been more fully documented elsewhere. This research brief describes work done for the National Defense Research Institute; it is documented in Sexual Orientation and U.S. Military Personnel Policy: Options and Assessment, MR-323-OSD, 1993, 518 pp., \$16.00, ISBN: 0-8330-1441-2, available from RAND Distribution Services (Telephone: toll free 877-584-8642; FAX: 310-451-6915; or Internet: order@rand.org). Abstracts of all RAND documents may be viewed on the World Wide Web (<http://www.rand.org>). Publications are distributed to the trade by NBN. RAND® is a registered trademark. RAND is a nonprofit institution that helps improve policy and decision-making through research and analysis; its publications do not necessarily reflect the opinions or policies of its research sponsors.

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